



State of Arizona
Department of Education

Tom Horne
Superintendent of
Public Instruction

Memorandum

December 14, 2004
CACFP CN# 13-05
CAC-05-02

To: Child and Adult Care Food Program Centers

From: Mary Szafranski, Deputy Associate Superintendent
Health and Nutrition Services

Melissa Steinle, Director
Child and Adult Care Food Program

Subject: Use of Enrollment Data for Establishing Claiming Percentages and
Determining the Eligibility of Proprietary Centers

There are several instances in the Child and Adult Care Food Program (CACFP) regulations where the definition of an enrolled child/program participant is critical to the appropriate application of Program requirements. Two such instances relate to:

- establishing “claiming percentages” as an element of reimbursement rates for meals served in child or adult care centers, and
- determining the percentage of children or adults eligible for Title XIX, Title XX, and/or free and reduced price benefits. The purpose is for establishing the eligibility of a proprietary center to participate in the Program and to submit a claim for reimbursement for meals.

Program regulations define an enrolled child in a center as “a child whose parent or guardian has submitted ... a signed document which indicates that the child is enrolled for child care.” In addition, the regulations define “claiming percentage” as “the ratio of the number of enrolled participants in an institution in each reimbursement category ... to the total of enrolled participants in the institution.”

Claiming Percentages

For a center establishing a claiming percentage, there is no requirement that a child appropriately enrolled for child care be in attendance, or participate in a meal, at any time during the claim month.

If the Department of Education believes that sponsors of centers, or other institutions, manipulate data by the way in which centers apply enrollment policies, the Department of Education may exercise the option to require actual meal counts, by category, as described at 7 CFR 226.9(b)(1). In addition, 7 CFR 226.25 provides that the Department of Education may establish additional requirements, with Food and Nutrition Service Regional Office (FNS-RO) approval, provided that any such additional requirements are not inconsistent with the CACFP regulations.

Proprietary Center Eligibility

The CACFP regulations define proprietary Title XIX and Title XX centers. One stipulation limits eligibility to those centers in which Title XIX, Title XX, free and reduced price beneficiaries were not less than 25 percent of eligible participants in the calendar month preceding initial application or reapplication for Program participation. In addition, proprietary centers are eligible to be reimbursed for meals only for months in which Title XIX, Title XX, free and reduced price beneficiaries were not less than 25 percent of eligible participants. In adult day care centers, the percentage of eligible participants is based on enrollment. In child care centers, the percentage of eligible participants is based on enrollment or licensed capacity.

As with the issue of establishing a claiming percentage discussed above:

- there is no requirement that an appropriately enrolled program participant be in attendance, or participate in a meal, at any time during the claim month; however,
- the Department of Education may establish, with FNS-RO approval, additional requirements for attendance and/or meal participation as an element of defining an enrolled participant in a proprietary child or adult care center.

The matter of whether to abide by the regulatory standards for proprietary center eligibility or request approval to impose additional requirements remains a State agency decision.

Please feel free to contact your program specialist if you have further questions.

Kenny Barnes	602.364.1070	Tracey Nissen	602.542.1550
Suzanne Callor	520.628.6775	Elsa Ramirez	520.628.6774
Caredy Cochran	602.542.8716	Jason Trujillo	602.542.8738
Dean Kinnoin	602.364.0141		
Jennifer Leftwich	602.364.0161		